

## KENTUCKY.

## BROOKLYN NEWS.

**SUNSTRUCK.**—Thomas Brown, a laborer, while working in the earth banks, near the city hall on State-st., was taken by the intense heat of the sun. He was taken to the Forty-eighth Precinct Station-House, and attended to by Dr. Buell, who thinks he will recover. Brown was taken to New York, where he resides.

**ROBED WHILE ASLEEP.**—Thomas McElroy was arrested on Sunday morning on the complaint of Patrick Cavanagh of No. 328 Columbia-st., who charged him with robbing a house in his sleep, and with having in his pocket book containing \$3, while asleep in his own house. The accused was held for a hearing.

**ROBE STEALING.**—A colored man, named Wm. Fowler, was arrested by Constable Gerbenhorst of East New-York, some days since, on the complaint of Christopher Gibbons, who charged him with having on the 22d of July last stole a house from his employer, on the Hunterley Road, which was taken before June 1st, and was repossessed on Saturday night last by Capt. Leitch of the Forty-ninth Precinct. A white boy, named John F. Dorenum, in the employ of Fowler, was also arrested. Both were held for examination.

**THOUSANDS OF NEGROES ABANDONING THE STATE.**—The reasons for issuing Order No. 32 will be found on the face of the order; but the reasons which induced the Mayor and his friends to apply to me do not. Large numbers of negroes were then in Louisville from the surrounding country, who had escaped from or returned there, and as they are.

The Mayor and others desired my approval of a plan they had arranged for the general enforcement of the laws against vagrancy, and the law which forbids slaves to go at large and hire themselves out as free persons.

To have enforced these laws would have produced great misery and alarm among the blacks. To leave the negroes in the city would have alarmed the fears of the citizens who were beforehand taught to think their presence would cause pestilence. They sought to make me responsible for either consequence.

To avoid both I issued Order No. 32. Under it over 5,000 negroes have crossed the Ohio River at this place.

**EAST NEW-YORK.**—Large crowds of persons went to East New-York yesterday to escape the heat of the city, but many of them became more heated from the free use of liquor and the result was a number of rows in which several dozen participated at a time. Several persons were severely injured. As the local police force was not large enough to accomplish anything the rowdies were necessarily permitted to fight it out.

**COUNTERFEIT POSTAL CURRENCY.**—A large quantity of counterfeit postal currency was circulated at Coney Island yesterday, and a number of hotel keepers suffered in consequence. The currency is of the denomination of 10 and 50 cents.

**SHOPPING.**—Louisa Zimmer and Christina New-York, mother and daughter, were arrested in New-York on Saturday evening by Sergeant Casler and Officer Sheridan, of the 43d Precinct Police, for shopping.

They went from store to store and took something from each. Two pairs of pantaloons, two hats and other articles were found in their possession. They are said to be old hands at the business. Both were held for a hearing.

**THE COMMON COUNCIL.**—A special meeting of this body is to be held on Thursday next, the 10th inst., at 3 o'clock p.m., for the purpose of taking action upon several matters of local importance.

**BROOKLYN CITY MORTALITY.**—The total number of deaths last week was 161, of which 48 were sudden and 13 under age. The principal causes of death were: apoplexy, 4; marasmus, 13; consumption, 4; dysentery, 7; convulsions, 14; small-pox, 2;roup, 2; diarrhea, 6; typhus fever, 2, &c. Under 1 year of age, 22. Native of the United States, 126; Ireland, 29; England, 2; Germany, 6; other countries, 7.

**RECOVERED.**—Hon. Moses F. Odell, who has been confined to his house for some weeks in consequence of a dangerous disease, has so far recovered as to be able to walk out.

**NEW-JERSEY NEWS.**

**STRUCK BY THE CARS AND INJURED.**—About 4 o'clock on Saturday afternoon, a woman, named Sophie, who was employed washing cars, standing on the track between Washington and Prospect-st., was about to step from the car, she was struck on the side of the head by a passing train and knocked insensible, by whom she bled profusely from the nose, mouth and ears. Dr. Feener, City Physician, was called in and upon examination found that there was an extensive fracture of the upper jawbone, extending to the nose. After receiving medical attendance, the woman was conveyed to her residence, No. 281 Railroad-ave.

**BODY OF AN INFANT FOUND IN THE WATER.**—Yesterday morning the body of an infant, apparently about three months of age, was found in the Jersey City ferry-slip. It was dressed in flannel and is supposed to be one of the party who were drowned by the upsetting of a small boat off Hoboken on Sunday night.

Coroner Farrell held an inquest, and a verdict of found drowned was rendered. The body will remain at the Alms-House to-day for identification.

**THREATENING LIFE.**—A man named Martin Conroy was arrested about 11 o'clock on Saturday night by Officer E. McWilliams, charged with having entered the house No. 234 Railroad-ave., and abused and threatened the life of Hannah Conroy, his wife, with whom he has not lived for over a year. He was locked up for examination.

**HOSE AND WAGON STOLEN.**—Some time during Saturday night the stable at No. 77 Washington-st., Hoboken, was broken open, and a horse and carriage belonging to Joseph Kehan were stolen.

**AN INFANT STRANGLED AND THROWN IN THE BUSES TO DIE.**—About 2 o'clock on Saturday morning, J. Weeks of Hudson City was aroused from sleep by three men who came into his room, and the English infant in the cradle on the side of the bed, all near what is termed "the hole in the wall." The men were returning home, and were attracted to the child by its pitiful moanings. Square Weeks proceeded with them to the spot, and there found a bright little male infant, apparently about four weeks old, covered with myriads of musketoes, which were fairly devouring it. Mrs. Weeks conveyed the child home, and while doing so was surprised that it remained so quiet. Upon Mrs. Weeks taking the infant, she at once discovered a handkerchief which had been tied tightly about its neck with the evident intention of causing strangulation, and when it was loosened, it was found to be little more than a mere wisp. After finding the child, the men recollected having met a woman on the plank walk leading from the foot of Third-st., Hoboken, who was undoubtedly the human wretch who had cast the infant away to die of strangulation, exposure, and the assaults of musketoes.

**A CAST-AWAY INFANT IN LUCK.**—On Friday night, about 10 o'clock, as two German gentlemen were passing along First-st., near Hudson-st., Hoboken, they observed a small bundle wrapped in a shawl lying on the steps of the Misses Van Harkirk. Upon examination the bundle was found to be a nearly dead, plump male infant, about two weeks of age, quietly sleeping. The little fellow was taken to the station-house, and afterward was taken in charge by a benevolent lady.

The gentlemen who found him are desirous that he should be adopted in some respectable family, but I do not like the company; but I will guess that our manager, which was returned in 1861 at over 5,000,000 tons, will be returned less than 4,000,000 now. There will be a reduction of 10 per cent caused by the new tonnage rule, and I am almost inclined to allow that, making about 3,000,000 tons.

On the cause of the loss of the ship, I have often written and suggested remedial measures. I fear no long trial will be left but the last rates to be performed on our dear commerce.

"I submit these difficulties to meet some of the complaints which will probably reach you from the loyal people of Kentucky."

"I have the honor to be, very respectfully,

"J. M. PALMER, Major-Gen. Commanding."

**Decay of American Commerce.**

To the Editor of The N.Y. Tribune.

**SIR:** The statement of the amount of tonnage transferred to foreigners during the last four years published in your paper of this day in my judgment is much less in amount than the real returns will show, as Mr. Gladstone stated some time since in the House of Commons that over 340,000 tons had been transferred to Great Britain since 1861. Now it is well known that a very large amount has been transferred to the Germans and other foreigners which we shall soon know, as the Secretary of Treasury has ordered to make a return of all the tonnage of the United States up to the 30th of June last, which will be made public, and it will astonish all, I think.

"To illustrate the effect of any fair rule upon the state of Slavery in Kentucky, I will advert to the effect of one rule which I am compelled to recognize and observe.

"The slaves of Kentucky—slaves, when all were slaves, just enough in their application—all negroes were compelled to be slaves. Now, however, they are not, certainly, free. True, the slaves of Kentucky are, color alone, entitled to justice; to freedom, without regard to color, and give protection accordingly, to end Slavery. I am often called upon to afford protection where there is no proof at hand, and am compelled to presume one way or the other.

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**LAW INTELLIGENCE.**

**THE COURTS FOR AUGUST.**

During the hot weather of this month the Civil Courts continue their vacation. For the Chamber business the following assignments have been made: During the past week in the Supreme Court, Judge Barnard; during the rest of the month, Judge Sutherland. For the Superior Court, during the first week, Judge Monell; afterward Judge Bosworth. Judge Brady will sit at the Common Pleas.

Recorder Hoffman will hold the General Sessions, while the Marine and minor Courts continue, as usual, without holiday.

**N. Y. COURTS OF APPEALS.—JUNE TERM, 1865.** John C. Winslow, et al., Appellants, agt. Corbett Peebles, et al., Respondents.

Action brought by plaintiffs as heirs at law of Catherine Peebles, deceased, to set aside a deed of certain premises, of which it is claimed she died seized, and which descended to her by her husband, which deed was made by the said Catherine to her husband Corbett Peebles.

Judgment given for the defendants.

Opinion of the court by Davies, J.

The disability of the husband to take land by conveyance from his wife remains the same before the statute of 1842, chapter 255.

A voluntary conveyance of land by the wife to the husband is wholly ineffective.

But the validity of a deed from the wife to her husband may be established by the application of the principles of equity, and a decree of the court for specific performance, which grantee is entitled to equitable relief for improvements made upon the premises in good faith, to the extent of such equitable claim.

Judgment of the Court below reversed, and a new trial ordered without prejudice to the equities of the respondents for his advances toward the land, and improvements made upon it in his title.

Judgment given for the defendants.

Action in the nature of a replevin for a quantity of undressed frix and seed, held upon by the defendant, Thomas C. Peck, et al., Plaintiff claimed title by virtue of a bill of sale executed to him by the Ray, et al.

Opinion of the Court per Dennis, J.

The owner of land may lawfully contract for its cultivation, and may provide by such contract, in whom the ownership of the product shall rest.

Such a contract may provide that, upon the termination of a condition, or the happening of an event, the ownership of the product shall be changed.

Such an arrangement is not a conditional sale, the subject matter was not in existence at the time of the making of the contract.

That title to property is not an exception to the general rule, to vest in the person when it comes into existence.

In case of crops to be sown, the title vests, potentially from the time of the bargain; actually, as soon as the subject arises.

Judgment affirmed. G. W. B.

**Burglar Shot by an Officer—His Capture, After a Desperate Resistance.**

Shortly before 5 o'clock on Saturday morning Officer Little of the Seventeenth Precinct was informed by Richard Corson of No. 365 Broadway that an unusual noise had been heard in the jewelry store of George W. (No. 365) Bowery. The officer proceeded to the door and on attempting to enter, found that the door was held by some person on the inside. He then rapped for admission, when the door was suddenly flung open, and an athletic young man, armed with a knife, sprang out, and made a wild dash, thrusting at the officer, who latter defended himself by his club, and the desperado ran away up the Bowery, pursued by the officer, who had three shots at him. At the corner of Lafayette and Bowery, the third shot took effect, lodging in the left shoulder of the villain, inflicting a severe, but not dangerous wound. As the officer came up he again regained his feet, and, after making several ineffectual passes at the officer, with his knife, fled down Fourth-st., to Broadway, where he was headed off by another of the Fifteenth Precinct, and both officers pursued him. He was taken to the Seventeenth Precinct station-house, where he was held until the arrival of the police, and the half extracted. On entering the jewelry store where the burglary was attempted, a quantity of jewelry was found strewn upon the floor, where the prisoner had thrown it on finding that he was discovered.

On Thursday last, on opening the safe as usual, the burglar was found to have taken over \$30,000 worth of jewelry, lying on the floor, in the night preceding. How the robbery occurred is a mystery, as everything was locked up save when the store was opened in the morning.

**STABBING BORNARD, SHOT, BORNARD, a sailor on a whaling vessel, layed in Charlie Huller, and the latter stabbed him in the arm, and then made his escape. The wounded man received medical attention and was then taken home by his friends.**

**JOHN TAYLOR, State Reporter.**

UNITED STATES DISTRICT COURT—AUGUST 5.—Before Judge BETTS  
THE CONDUCT THAT DEPRIVES SAILORS OF THEIR  
RIGHT TO SALVAGE.

James and others, agt. the Sarah A. Boice.—The schooner for whose salvage this action was brought, was captured by the rebels, her owners and crew, stored furniture stripped from her, and were sent on the bar at Jones Branch, L.I. For getting her off the bar the rebels claim salvage. The owners answer alleging that she worked over the bar into the inlet where she grounded, and that the schooner remained there until got off by the persons claiming to hold her, and denied that the vessel was derelict or exposed to peril, or that the rebels acted with a fair and honest intent to save it.

Evidence was given that when discovered ashore she had been taken by sea boats and plundered, and allowed by the plunderers to stand on the bar without an attempt at salvage. That she was there was boasted by the rebels for the purpose of holding her as a wreck under the State law; that the owners on the 25th of August had the vessel restored to the port of New York, but escaped out of the harbor to pay the rebels as for work and labor, and even contained the services of some of them in getting the vessel off.

The following is the decision of the Court:

The libel is for salvage, and to maintain it as such, it must be supported by proof that the proceedings of the rebels were an unauthorized lawful, in good conscience, and meritorious. The maritime code in respect to the allowance of compensation for salvage-services is based upon principles of universal equity and integrity. The law requires from the true authority of maritime property results from the law of nations, and does not allow the claimant to demand a reasonable reward for an honest effort to save it, from perils, but shows no countenance or favor to plunderers. A seizure of wrecked property for culpable plunder constitutes no libel.

That when the rebels first fell in with the schooner in a helpless state, apparently abandoned and derelict, instead of approaching her with the manifestation of a desire to afford her relief, the whole purpose in view was to seize, convert, and appropriate the vessel, and to hold her as a wreck under the State law.

That the schooner is most fortunate that all the rebels

were killed, and had been the victim of a sudden predatory

attack.

That the schooner is in no sense with the semblance of an honest and fair purpose to save and restore to its true owners a vessel discovered, as this one was by the rebels, but has thereafter followed its remains from day to day, it floated a smooth sea and in calm weather, making prey of anything that could be picked up from the water, and that it could be fairly inferred from the conduct of the rebels that it was their intent to appropriate the vessel to their own use.

That it is reasonable for the court to infer, on the time when the schooner was demanded, and even to continue the services of James and others of the rebels, to have her surrendered to the court, to be entitled to evoke the law to authorize and confirm to them such a privilege.

That on strict examination, pleading, therefore, the action would be dismissed, because the libel was not supported by proof that the rebels were an unauthorized lawful, in good conscience, and meritorious.

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